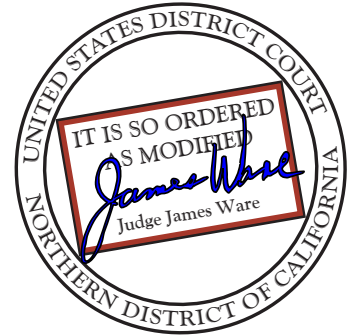


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(SPACE BELOW FOR FILING STAMP ONLY)

Attorneys for Plaintiffs, GEORGE ANDROS and
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FARMS LP, a California partnership



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

GEORGE ANDROS and ALYSA ANDROS,
Individuals, and FAIRWAY FARMS LP, a
California partnership,

Plaintiffs,

v.

GREAT AMERICAN ASSURANCE
COMPANY, an Ohio Corporation, and DOES
1 through 50, inclusive,

Defendants.

CASE NO. 04-CV-4612-JW

**STIPULATION AND ORDER
FURTHER AMENDING SCHEDULING
ORDER REGARDING EXPERT
WITNESSES, AND CONTINUING
HEARING ON DEFENDANT'S
MOTION FOR SUMMARY
JUDGMENT AND CASE
MANAGEMENT CONFERENCE DATE
PENDING MEDIATION**

WHEREAS, the parties are desirous of submitting this matter for resolution by mediation and have agreed to submit the matter to mediation before Charles Hawkins;

WHEREAS, Charles Hawkins is unavailable to hear this matter until February 22, 2006, but has agreed to place this matter for preference in the event of a cancellation of another earlier scheduled matter;

WHEREAS, the parties have now resolved an issue raised by GREAT AMERICAN in connection with an exclusion in the second policy and GREAT AMERICAN has agreed to withdraw its designation of Mr. Gobbin as an expert, Plaintiffs have withdrawn the Motion to Strike Testimony of Mr. Gobbin identified as Docket Nos. 30-37.

1 WHEREAS, GREAT AMERICAN has agreed to withdraw its designation of non-retained
2 experts, Mark Fredricksen, David Hindle and Barbara Spiker, and has further agreed that said
3 individuals will not be called as witnesses at trial, Plaintiffs withdraw the Motion to Exclude Not
4 Timely Identified Witnesses identified as Docket Nos. 38-45.

5 WHEREAS, the parties have now resolved their dispute regarding an extension of certain
6 deadlines as set forth herein, it is further understood that GREAT AMERICAN is withdrawing its
7 request for an Order seeking a continuance and that Docket Nos. 64-69 are now withdrawn.

8 It is hereby stipulated and agreed to by the parties through their respective counsel and the
9 Court that good cause is established to extend the deadlines regarding the depositions of expert
10 witnesses and to continue the hearing on Defendant's Motion for Summary Judgment/Adjudication
11 and the Case Management Conference as set forth below.

12 The following deadlines are hereby further revised from the amended Scheduling Order
13 entered on October 28, 2005 (Docket No. 26):

- 14 1. The discovery cut-off for taking the depositions of the designated experts is extended
15 to March 10, 2006.
- 16 2. Any party objecting to the qualifications or proposed testimony of an expert must
17 file, serve and notice a motion to exclude the expert or any portion of the expert's
18 testimony in writing in accordance with Civil Local Rule 7-2 for hearing no later than
19 May 1, 2006, at 9:00 a.m.

20 The hearing on Defendant's Motion for Summary Judgment (Docket No. 46-54) as modified
21 by Defendant's Notice of Withdrawal of Portion of Motion for Summary Judgment (Docket No. 57),
22 including Defendant's Supplemental Motion for Summary Adjudication (Docket No. 59-63)
23 currently scheduled for hearing on January 30, 2006 (per Docket No. 55) is continued to May 1, 2006
24 at 9:00 a.m.

25 The parties shall submit the matter to mediation on or before February 22, 2006.

26 The January 30, 2006, further Case Management Conference (per Docket No. 55) is vacated
27 and the conference is continued to May 1, 2006 at 10:00 a.m.

28 ///

1 The parties shall meet and confer and file a further Joint Case Management Statement on or
2 before March 31, 2006.

3 Dated: December 29, 2005.

4 WILKINS, DROLSHAGEN & CZESHINSKI LLP

5
6 By 

James H. Wilkins

7 Attorneys for Plaintiffs, GEORGE ANDROS and
8 ALYSA ANDROS, Individuals, and FAIRWAY
FARMS LP, a California partnership

9 Dated: December 29, 2005.

10 CUMMINS & WHITE LLP

11
12 By 

Larry Arnold

13 Attorneys for Defendant, GREAT AMERICAN
ASSURANCE COMPANY

14 ADDITIONALLY, THE PRELIMINARY PRETRIAL/TRIAL SETTING
15 CONFERENCE IS CONTINUED FROM 02/27/06 TO 06/12/06 @ 11:00AM.

16
17 **IT IS SO ORDERED.**

18
19 Dated: 01/03/06


James Ware

Judge of the United States District Court,
Northern Division

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24 F:\Data\Andros\Pleading\stip further amend.sched.order experts wpd